

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

TITLE OF THE INVENTION

DIAGNOSIS OF HYPERINSULINEMIA AND TYPE II DIABETES AND PROTECTION  
AGAINST SAME BASED ON GENES DIFFERENTIALLY EXPRESSED IN MUSCLE  
CELLS

This declaration is directed to:

- [ ] the attached application;  
[ ] the application filed in the United States under 35 U.S.C. §111 on \_\_\_\_\_, as  
U.S. Appln. No. \_\_\_\_\_\*; or  
[X] the application which was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national  
stage of an international (PCT) application, PCT/US2005/005596; filed, entry requested on August 28,  
2006\*; national stage application received U.S. Appln. No. 10/590,906\*; §371/§102(e) date \_\_\_\_\_\*  
(\* if known)

[ ] as amended on \_\_\_\_\_ (if applicable).

An Application Data Sheet was filed in reference to this application on August 28, 2006.

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: John J. KOPCHICK

Date: 11-28-07

Signature: John J. Kopchick

Citizen of: United States

Inventor two: Karen T. COSCHIGANO

Date: 11/28/07

Signature: Karen T. Coschigano

Citizen of: United States

Inventor three: Keith BOYCE

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: United States

Inventor four: Andres KRIETE

Date: 11/12/2007

Signature: Andres Kriete

Citizen of: Germany

[ ] Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

OHIO UNIVERSITY

Page 1 of 2 Pages

[X] Original [ ] Substitute [ ] Supplemental Atty. Docket: KOPCHICK=15.1A

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

TITLE OF THE INVENTION

DIAGNOSIS OF HYPERINSULINEMIA AND TYPE II DIABETES AND PROTECTION  
AGAINST SAME BASED ON GENES DIFFERENTIALLY EXPRESSED IN MUSCLE  
CELLS

This declaration is directed to:

- [ ] the attached application;  
[ ] the application filed in the United States under 35 U.S.C. §111 on \_\_\_\_\_, as  
U.S. Appln. No. \_\_\_\_\_\*; or  
[X] the application which was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national  
stage of an international (PCT) application, PCT/US2005/005596; filed, entry requested on August 28,  
2006\*; national stage application received U.S. Appln. No. 10/590,906\*; §371/§102(e) date \_\_\_\_\_\*  
(\* if known)

[ ] as amended on \_\_\_\_\_ (if applicable).

An Application Data Sheet was filed in reference to this application on August 28, 2006.

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one: John J. KOPCHICK

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: United States

Inventor two: Karen T. COSCHIGANO

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: United States

Inventor three: Keith BOYCE

Date: 11/28/07

Signature: Keith Boyce

Citizen of: United States

Inventor four: Andres KRIETE

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Citizen of: Germany

[ ] Additional inventors or a legal representative are being named on \_\_\_\_\_ additional form(s) attached hereto.

Title: DIAGNOSIS OF HYPERINSULNEMIA AND TYPE II DIABETES AND PROTECTION AGAINST SAME  
BASED ON GENES DEIFFERENTIALLY EXPRESSED IN MUSCLE CELLS

U.S. Application filed \_\_\_\_\_, Serial No. 10/590,906

PCT Application filed February 28, 2005, Serial No. PCT/US2005/005596

All inventors must review application and declaration before signing. All alterations must be initialed and dated by all inventors prior to execution. No alterations can be made after the declaration is signed. All pages of the declaration must be seen by all inventors.

Resolving conflicts between Application Data Sheets and Declaration occurs as follows: (1) normally, the latest submitted information governs, (2) if an Application Data Sheet and a declaration are filed the same day, the Application Data Sheet governs, except with respect to the naming of inventors and the identification of their citizenship. See 37 CFR 1.76(d).